



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

11 January 2008

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.rracpc.org>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Lead, Sharon Scroggins/MSFC at 256-544-7932 (sharon.scroggins@nasa.gov).

Contents of This Issue

1.0	U.S. Federal Regulatory Review	4
1.1	Federal Register Summary	4
1.2	Status of Continuing Actions in Progress	7
1.3	Significant News and Other Developments	8
1.3.1	<i>EPA Publishes Final Area Source Rule for Paint Stripping and Surface Coating</i>	8
1.3.2	<i>EPA Proposes Changes to Streamline the General Conformity Regulations</i>	9
1.3.3	<i>Reduce Costs by Using Low Impact Development Practices</i>	9
1.3.4	<i>American Ladder Institute Releases Updated Ladder Safety Standards</i>	10
1.4	Clean Air Act Working Group Updates	10
1.4.1	<i>Clean Air Act Working Group Telecons for 2008</i>	10
2.0	State Regulatory Reviews	11
2.1	Alabama State Regulatory Review	11
2.2	California State Regulatory Review	13
2.2.1	<i>Upcoming Workshops and Conferences</i>	14
2.3	Florida State Regulatory Review	14
2.4	Hawaii State Regulatory Review	14
2.5	Louisiana State Regulatory Review	15
2.6	Maryland State Regulatory Review	15
2.7	Mississippi State Regulatory Review	15
2.8	New Mexico State Regulatory Review	15
2.9	Ohio State Regulatory Review	16
2.10	Texas State Regulatory Reviews	17
2.10.1	<i>TERP Emissions Reduction Incentive Grant Program</i>	18
2.10.2	<i>Latest TCEQ Publications Now Available</i>	19
2.11	Virginia State Regulatory Review	19

Acronyms

AAM = <i>Alabama Administrative Monthly</i>	NPDES = National Pollutant Discharge Elimination System
AAC = Alabama Administrative Code	NPRM = Notice of Proposed Rulemaking
ACEP = Advanced Clean Energy Projects	NSPS = New Source Performance Standards
ADEM = Alabama Department of Environmental Management	NSR = New Source Review
ANPRM = Advance Notice of Proposed Rulemaking	O ₃ = Ozone
BMP = Best management practice	OAC = Ohio Administrative Code
CAA = Clean Air Act	OEPA = Ohio Environmental Protection Agency
CAAWG = Clean Air Act Working Group	PFAC = Perfluoroalkyl carboxylates
Cal-CUPA = California-Certified Unified Program Agencies	PFAS = Perfluoroalkyl sulfonates
CCR = <i>California Code of Regulations</i>	PM = Particulate matter
CFR = <i>Code of Federal Regulations</i>	ppm = Parts per million
COMAR = <i>Code of Maryland Regulations</i>	PTIO = Permit-to-Install and Operate
CRNR = <i>California Regulatory Notice Register</i>	RCRA = Resource Conservation and Recovery Act
DLSME = Defense Land Systems and Miscellaneous Equipment	RIN = Regulatory Identification Number
DTSC = Department of Toxic Substances Control	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
EPA = U.S. Environmental Protection Agency	SCAQMD = South Coast Air Quality Management District
ERIG = Emissions Reduction Incentive Grants	SIP = State implementation plan
F.A.C. = Florida Administrative Code	SJVAPCD = San Joaquin Valley Air Pollution Control District
FAW = <i>Florida Administrative Weekly</i>	SMAQMD = Sacramento Metropolitan Air Quality Management District
FDEP = Florida Department of Environmental Protection	SNUR = Significant New Use Rule
FR = <i>Federal Register</i>	TAC = Texas Administrative Code
GSE = Ground support equipment	TCEQ = Texas Commission on Environmental Quality
HAP = Hazardous air pollutant	TERP = Texas Emission Reduction Program
HCFC = Hydrochlorofluorocarbon	tpy = Tons per year
HTML = HyperText Markup Language	TexReg = <i>Texas Register</i>
I/M = Inspection/Maintenance	U.S. = United States
LID = Low Impact Development	Va.R. = <i>Virginia Register</i>
Md.R. = <i>Maryland Register</i>	VAC = Virginia Administrative Code
MSFC = Marshall Space Flight Center	VOC = Volatile organic compound
NAAQS = National Ambient Air Quality Standards	VPDES = Virginia Pollution Discharge Elimination System
NASA = National Aeronautics and Space Administration	VWP = Virginia Water Protection
NESHAP = National Emission Standards for Hazardous Air Pollutants	
NOx = Nitrogen oxide	

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts on NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed011108-1	CAA General Conformity	01/08/2008	73 FR 1401	Proposed Rule	<p>Revisions to the General Conformity Regulations [40 CFR Parts 51 and 93]</p> <p>Proposes to revise regulations relating to the requirement that federal actions conform to the appropriate state, tribal or federal implementation plan for attaining clean air ("General Conformity Regulations"). Proposed revision provides for a streamlined process for federal agencies and states to ensure that federal activities conform to SIPs. In cases where that is not possible, it provides an efficient and effective process for federal agencies to ensure that their actions do not cause or contribute to a violation of the NAAQS or interfere with the purpose of a SIP to attain or maintain the NAAQS. Comments due 03/10/2008. A public hearing will be held if requested by 01/23/2008 [RIN 2060-AH93].</p> <p>See related item in Section 1.3.2 of this update for further information.</p>	
Fed011108-2	CAA NAAQS-Ozone	01/04/2008	73 FR 836	Notice	<p>Availability of Additional Information Related to the Review of the National Ambient Air Quality Standards for Ozone [40 CFR Part 50]</p> <p>Notice of availability of additional information in the docket for the review of the NAAQS for ozone. A memorandum has been added to the docket. The subject of the memorandum is: "Additional Tables: Non-accidental Mortality and Lung Function Responses Associated with O3 Concentrations that Just Meet the Current and Alternative 8-Hour Daily Maximum Standards--Totals and Portions Attributable to O3 within 0.1 ppm Ranges, Based on 2002 and 2004 Air Quality Data."</p>	
Fed011108-3	CAA NAAQS-PM2.5	01/08/2008	73 FR 1497	Direct Final Rule	<p>Interpretation of the National Ambient Air Quality Standards for PM2.5--Correcting and Simplifying Amendment [40 CFR Part 50]</p> <p>Corrects errors in recent changes (71 FR 61144, 10/17/2006) to the data-handling conventions and computations necessary for determining when the annual and 24-hour NAAQS for PM2.5 are met. The correction involves the replacement of the currently used statistical formula and instructions with a simpler look-up table approach that is easier for readers to understand and that retains the intended numerical consistency. Effective 04/08/2008 unless adverse comments are received by 02/08/2008 [RIN 2060-AO59].</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed011108-4	CAA NESHAP–Gasoline Distribution Facilities Area Sources	01/10/2008	73 FR 1915	Final Rule	<p>National Emission Standards for Hazardous Air Pollutants for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities; and Gasoline Dispensing Facilities [40 CFR Part 63]</p> <p>Promulgates NESHAP for facilities in the gasoline distribution (Stage I) area source category. Adds two regulations:</p> <ul style="list-style-type: none"> Requirements for bulk distribution facilities, i.e., gasoline distribution bulk terminals, bulk plants, and pipeline facilities. Requirements for loading of storage tanks at gasoline-dispensing facilities (such as service stations, convenience stores, rental, and fleet gasoline tanks). <p>The requirements for gasoline-dispensing facilities depend on the monthly gasoline throughput of the facility and include the following:</p> <ul style="list-style-type: none"> All must perform specified good management practices to check for and minimize evaporation of gasoline. Requires submerged filling of gasoline storage tanks for facilities that have a throughput of 10,000 gallons per month or more. Requires vapor balanced submerged filling of gasoline storage tanks at facilities that have a monthly throughput of 100,000 gallons or more. For tanks with a 250-gallon capacity or less, regardless of monthly throughput, only the good management practices are required. <p>Initial testing for demonstration of compliance may be required. Also incorporates by reference four test methods. Effective 01/10/2008. Existing area sources must comply by 01/10/2011. New area sources must comply by 01/10/2008 or by initial startup, whichever is later [RIN 2060-AM74].</p>	
Fed011108-5	CAA NESHAP–Paint Stripping and Surface Coating Area Sources	01/09/2008	73 FR 1737	Final Rule	<p>National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources [40 CFR Part 63]</p> <p>Promulgates NESHAP for area sources engaged in paint stripping, surface coating of motor vehicles and mobile equipment, and miscellaneous surface coating operations. EPA has merged three area source categories into this standard: Autobody Refinishing; Plastic Parts and Products Surface Coating; and Paint Stripping. "Plastic Parts and Products (Surface Coating)" has been renamed "Miscellaneous Surface Coating," and "Autobody Refinishing Paint Shops" has been renamed "Motor Vehicle and Mobile Equipment Surface Coating" to more accurately reflect the scope of these source categories. Effective 01/09/2008 [RIN 2060-AN21].</p> <p>Does not apply to NASA facilities, but may affect contractors and vendors that perform surface coating or paint stripping offsite. See related items in Sections 1.2 and 1.3.1 of this update.</p>	NASA Programs should be aware of these area source rules and review them for potential supply chain impacts.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed011108-6	CAA SIPs	01/07/2008	73 FR 1175	Proposed Rule	<p>Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Nevada; Wintertime Oxygenated Gasoline Rule; Vehicle Inspection and Maintenance Program; Redesignation of Truckee Meadows to Attainment for the Carbon Monoxide Standard [40 CFR Parts 52 and 81]</p> <p>Proposes to approve revisions to the Nevada SIP. Also proposes to rescind previous approval of certain provisions of the Nevada SIP, related to the vehicle I/M program, on the grounds of sovereign immunity. In connection with the proposed SIP actions, EPA is taking no action on a submitted rule that extends the state's I/M requirements for motor vehicles operated on federal installations because the federal government has not waived sovereign immunity in the context of vehicle I/M programs. The federal I/M rule requires that vehicles operated on federal installations located within an I/M program area be tested regardless of where the vehicles are registered in the state or local I/M area. The Department of Justice has recommended to EPA that this federal regulation be revised because it appears to grant states authority to regulate federal installations in circumstances where the federal government has not waived sovereign immunity. It would not be appropriate to require compliance with this regulation if it is not constitutionally authorized. EPA will be revising this provision in the future and will review state I/M SIPs with respect to this issue when this new rule is final. Comments due 02/06/2008.</p> <p>Although this regulation does not directly affect NASA Centers, it may be of interest with regard to the federal sovereign immunity consideration.</p>	NASA facilities should be aware of the treatment of federal sovereign immunity in this SIP revision.
Fed011108-7	Hazardous Materials	01/07/2008	73 FR 1089	Final Rule	<p>Pipeline and Hazardous Materials Safety Administration</p> <p>Hazardous Materials: Revisions to the List of Hazardous Substances and Reportable Quantities [49 CFR Part 172]</p> <p>Amends the Hazardous Materials Regulations by revising the list of hazardous substances and reportable quantities and correcting editorial errors to the list. Effective 03/31/2008. Voluntary compliance authorized 02/29/2008 [RIN 2137-AE24].</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed011108-8	Hazardous Materials Transportation	01/04/2008	73 FR 916	Notice	<p>Pipeline and Hazardous Materials Safety Administration</p> <p>Proposed Recommended Practices for Bulk Loading and Unloading of Hazardous Materials in Transportation</p> <p>Solicits information and comments on proposed recommended practices for bulk loading and unloading operations of hazardous materials in transportation. Notice includes the following:</p> <ul style="list-style-type: none"> Summary of incident data related to bulk loading and unloading operations. Discussion of recommendations issued by the National Transportation Safety Board and the Chemical and Safety Hazard Investigation Board. Overview of current federal regulations applicable to bulk loading and unloading operations. Summary of the results of a public workshop. Proposed recommended practices for bulk loading and unloading operations. <p>Also solicits comments on whether there are existing gaps and/or overlaps in related federal regulations, and how they should be addressed. Comments due 02/08/2008.</p>	
Fed011108-9	RCRA Solid Waste Testing and Monitoring	01/03/2008	73 FR 486	Notice	<p>Waste Management System; Testing and Monitoring Activities; Notice of Availability of Final Update IV of SW-846</p> <p>Notice of the availability of "Final Update IV" to the Third Edition of the manual, "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA publication SW-846. Contains new and revised analytical methods for use in monitoring or complying with RCRA hazardous waste regulations.</p>	

1.2 Status of Continuing Actions in Progress

This section provides the status of selected actions the RRAC PC is currently tracking for possible program-related impacts. Questions about any of these actions or suggestions for additions to this list should be directed to Sharon Scroggins/MSFC.

Significant Dates		Subject Action [RIN]	Type of Action	Comments
NPRM	05/2008	NESHAP: Defense Land Systems and Miscellaneous Equipment [2060-AM84]	Pre-rule	Possible impact to Ground Operations.
Final Action	05/2009			Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE.
ANPRM	03/29/2007	NESHAP: Risk and Technology Review, Phase II [2060-AN85]	Pre-rule	Possible space vehicle operational or materials impacts.
NPRM	11/2007			Evaluation of residual risk remaining after the implementation of numerous NESHAPs, including those regulating the Aerospace and Chrome Electroplating source categories. This rulemaking represents a relatively low risk of EPA imposing limits on HAP and VOC levels contained in coatings, cleaning solvents, and other materials used on flight hardware. Potential further restrictions on the chrome electroplating or other source categories also could affect vendor facilities.
Final	11/2008			
NPRM	07/16/2007	National VOC Rule for Aerosol Coatings [2060-AN69]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	12/2007			The rule would impose limits on VOC content for aerosol coatings. The limits would apply to coating manufacturers, and could be a driver for formulation changes to reduce VOC content.

Significant Dates		Subject Action [RIN]	Type of Action	Comments
NPRM	09/17/2007	72 FR 52957	Final Rule	Possible space vehicle operational or materials impacts.
Final Action	01/09/2008	73 FR 1737		This standard regulates certain surface coating, cleaning, and paint stripping operations at area sources of HAPs. This rule does not apply to NASA-owned facilities, but potentially could affect paint stripping operations at contractor-owned facilities. See Section 1.3.1 for further information.
NPRM	01/03/2007	72 FR 69	Proposed Rule	Possible impacts to facilities, including space flight support facilities.
Final Action	12/2007			Could have an effect on how NESHAPs affect certain NASA Centers and vendor facilities.
NPRM	05/2008	HCFC Labeling [2060-AO68]	Pre-rule	Administrative requirement for certain space vehicle materials.
Final Action	05/2009			Would require containers of materials containing HCFCs to bear warning statements
NPRM	02/2008	Area Sources: Metal Fabrication and Finishing [2060-AO27]	Pre-rule	Possible space vehicle materials or supply chain impacts
Final Action	06/2008			Will set air emissions reduction requirements, possibly including usage limitations, for area sources of hazardous air pollutants in nine source categories: 1) Electrical and Electronic Equipment Finishing Operations; 2) Fabricated Metal Products; 3) Fabricated Plate Work (Boiler Shops); 4) Fabricated Structural Metal Manufacturing; 5) Heating Equipment, except Electric; 6) Industrial Machinery and Equipment: Finishing Operations; 7) Iron and Steel Forging; 8) Primary Metal Products Manufacturing; and 9) Valves and Pipe Fittings. The rule is expected to target emissions of cadmium, chromium, manganese, nickel, and lead in abrasive blasting, welding, painting, plating, machining, and grinding operations.
NPRM	01/2008	Area Sources: Plating and Polishing [2060-AM37]	Pre-rule	Possible space vehicle materials or supply chain impacts.
Final Action	06/2008			Will set air emissions reduction requirements, possibly including usage limitations, for area sources of HAPs in the plating and polishing industry.
NPRM	03/07/2006	71 FR 11483	Proposed Rule	Possible space vehicle materials impacts.
Final Action	04/2008			Rule could limit new U.S. production of any new materials or significant uses of perfluorinated polymers including those containing PFASs; PFACs; fluorotelomers; or perfluoroalkyl moieties that are covalently bound to a carbon or a sulfur atom where the carbon or sulfur atom is an integral part of the polymer molecule.

1.3 Significant News and Other Developments

1.3.1 EPA Publishes Final Area Source Rule for Paint Stripping and Surface Coating

EPA published the final area source rule for paint stripping and surface coating in the FR on 9 January 2008 ([73 FR 1738](#)). The NESHAP for Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources (“stripping and coating area source NESHAP,” or “area source NESHAP”) regulates paint stripping and miscellaneous surface coating operations at area sources of HAPs. Area sources are those sources of HAPs that emit less than 10 tpy of any single HAP and less than 25 tpy of any combination of HAPs. The final rule became effective on 9 January 2008.

This stripping and coating area source NESHAP will not apply to paint stripping or surface coating operations that occur onsite at area source facilities owned by NASA. Instead, such operations will be regulated by the DLSME NESHAP, currently under development.

However, this rule will apply to contractors, vendors, and other area source facilities that conduct paint stripping and miscellaneous surface coating operations offsite. NASA Programs should note that it includes an exclusion for the surface coating of space vehicle-related hardware, but not for paint stripping. Thus, space vehicle-related paint stripping operations

using methylene chloride that are conducted at covered offsite area source facilities may be required to comply with the provisions of this rule.

1.3.2 EPA Proposes Changes to Streamline the General Conformity Regulations

EPA published a proposed rule on 8 January 2008 ([73 FR 1402](#)) to streamline procedures for federal agencies to demonstrate conformity with SIPs, as required under NAAQS regulations. EPA's general conformity rules require federal agencies to show their activities in areas that have not attained NAAQS for criteria pollutants will meet all SIPs and will not interfere with the timely NAAQS attainment.

The proposed rule would accomplish the following:

- Delete a requirement in existing regulations for federal agencies to conduct a conformity determination for regionally significant actions when the total direct and indirect emissions from the action are less than 100 tons.
- Add categories of actions that federal agencies can include in their "presume-to-conform" lists.
- Permit states to establish presume-to-conform lists in their SIPs.
- Permit federal facilities to negotiate facilitywide emissions budgets with state agencies. Under these budgets, minor actions at the facilities could go forward with no conformity determination. In addition, emissions of one precursor of a regulated pollutant could be offset by reductions in the emissions of another precursor. For example, a facility could offset emissions of NO_x, an ozone precursor, with a reduction in emissions of VOCs, another ozone precursor.
- Allow federal facilities to negotiate with state agencies for short-term increases in emissions coupled with an agreement for a long-term reduction in emissions.

EPA is accepting comments on the proposed rule through 10 March 2008.

1.3.3 Reduce Costs by Using Low-impact Development Practices

EPA has published a new report titled, *Reducing Storm Water Costs through LID Strategies and Practices*, which highlights case studies from across North America demonstrating that the implementation of LID practices can lower costs while improving environmental performance.

LID practices are storm water BMPs to manage storm water runoff at its source by mimicking the way water moved through an area before that area was developed, using design techniques that infiltrate, and by reusing runoff close to its source. Some common LID practices include rain gardens, grassed swales, cisterns, permeable pavements, and green roofs.

The report indicates that, in most cases, total capital savings from implementing LID practices ranged from 15 to 80 percent, with a few instances in which LID project costs were higher than conventional storm water management costs. It is anticipated that as LID practices increase, the costs associated with implementing them will decrease. The report is available on EPA's website at: <http://www.epa.gov/owow/nps/lid/costs07/>.

1.3.4 American Ladder Institute Releases Updated Ladder Safety Standards

The American Ladder Institute has released three newly updated standards that outline the rules and minimum requirements for the design, construction, testing, care, and use of wood, portable metal, and portable reinforced-plastic ladders.

The following three standards recently were updated with important safety requirements:

- A14.1–2007 American National Standards for Ladders–Wood Safety Requirements
- A14.2–2007 American National Standards for Ladders–Portable Metal Safety Requirements
- A14.5–2007 American National Standards for Ladders–Portable Reinforced-plastic Safety Requirements

The 14.2 and 14.5 standards now include a series of new articulating ladder tests.

Standard 14.10, which included maximum weight ratings for various ladders, was incorporated into 14.2 and 14.5. The updated standards are available for purchase online from the [American Ladder Institute](#).

1.4 Clean Air Act Working Group Updates

1.4.1 Clean Air Act Working Group Telecons for 2008

The CAAWG will hold telecons on the following Wednesdays in 2008 at 2 p.m. ET, 1 p.m. CT, 12 p.m. MT, and 11 a.m. PT:

- | | |
|---------------|----------------|
| • 16 January | • 16 July |
| • 20 February | • 20 August |
| • 19 March | • 17 September |
| • 16 April | • 15 October |
| • 21 May | • 19 November |
| • 18 June | |

2.0 State Regulatory Reviews

The following sections provide details of the regulatory actions reviewed for states in which NASA facilities are located.

2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL011108-1	Air	12/31/2007	AAM Vol. XXVI No. 3, pp. 121-122	Final Rule	<p>335-Alabama Department of Environmental Management (ADEM) 3–Air Division</p> <p>Final changes to ADEM's Administrative Code amend the following:</p> <ul style="list-style-type: none"> ▪ 335-3-1-.02 Definitions ▪ 335-3-3-.01 Open Burning ▪ 335-3-10-.01 General ▪ 335-3-10-.02 Designated Standards of Performance ▪ 335-3-10-.03 Appendices to 40 CFR 60 ▪ 335-3-11-.01 General ▪ 335-3-11-.02 Designated Emission Standards ▪ 335-3-11-.06 National Emission Standards for Hazardous Air Pollutants for Source Categories <p>Amendments include changing the definition of VOC; deleting an outdated provision in the Open Burning regulations; and incorporating by reference changes to the Federal NSPS and NESHAP promulgated from 07/02/2006 to 07/02/2007. Also included is a letter, requested by EPA, which clarifies several CAA Section 110 SIP issues.</p>	
AL011108-2	Air State Implementation Plan	12/09/2007	AAC Public Hearings	Notice Hearing Cancellation	<p>Alabama Department of Environmental Management (ADEM)–State Implementation Plan (SIP)</p> <p>Cancels the hearing formerly scheduled for 01/23/2007 at ADEM Headquarters, Montgomery, Alabama, to discuss changes in the SIP.</p>	
AL011108-3	General Administration Fees	12/31/2007	AAM Vol. XXVI No. 3, p. 121	Final Rule	<p>335-ADEM 1–General Administration 6–Application Fees</p> <p>Final changes amend 335-1-6-.04 and 335-1-6-.07 by increasing ADEM's permit fees.</p>	
AL011108-4	General Administration Organization Forms	12/31/2007	AAM Vol. XXVI No. 3, p. 121	Final Rule	<p>335-ADEM 1–General Administration 1–Organization</p> <p>Final changes amend 335-1-1-.07 by adding 5 new forms, modifying 19 existing forms, and deleting 3 forms.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL011108-5	Hazardous Waste	12/31/2007	AAM Vol. XXVI, No. 3, pp. 97-106	Proposed Amendments Hearing Notice	<p>335–Alabama Department of Environmental Management (ADEM) 14–Land Division–Hazardous Waste Program</p> <p>Amendments are intended to provide updated regulations to reflect changes in the federal requirements for the regulation of hazardous waste. Requirements have been added for waste minimization plans, Exception Reporting, and to require generators to document the amount of hazardous waste generated each month. Proposed amendments will update the following:</p> <ul style="list-style-type: none"> ▪ 335-14-.01 Hazardous Waste Management System: General ▪ 334-14-.02 Identification and Listing of Hazardous Waste ▪ 335-14-.03 Standards Applicable to Generators of Hazardous Waste ▪ 335-14-.04 Standards Applicable to Transporters of Hazardous Waste ▪ 335-14-.05 Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities ▪ 335-14-.06 Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities ▪ 335-14-.07 Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities ▪ 335-14-.08 Permit Program ▪ 335-14-.11 Standards for Universal Waste Management ▪ 335-14-.17 Standards for the Management of Used Oil <p>A hearing is scheduled for 02/06/2008 at ADEM Headquarters, Montgomery, Alabama.</p>	MSFC should review this rule for potential applicability.
AL011108-6	Water Supply Contaminants	12/31/2007	AAM Vol. XXVI No. 3, p. 123	Final Rule	<p>335–ADEM 7–Appendix A–Standard List of Primary Drinking Water Contaminants</p> <p>Amends Appendix A by adding contaminants and corrects units to those required by EPA regulations.</p>	
AL011108-7	Water Supply Contaminants	12/31/2007	AAM Vol. XXVI No. 3, p. 123	Final Rule	<p>335–ADEM 7–Appendix B–Regulated Contaminants</p> <p>Amends Appendix B by adding definitions that are required by EPA regulations.</p>	
AL011108-8	Water Supply Drinking Water	12/31/2007	AAM Vol. XXVI No. 3, p. 122	Final Rule	<p>335–ADEM 7–Water Supply Program 2–Primary Drinking Water Standards</p> <p>Amends 335-7-2-.03 to make nitrate requirements the same as EPA's and to separate the Organic Chemical Standards and Monitoring Requirements into different sections. Volatile Synthetic Organic Chemicals and Disinfection Byproducts were deleted from 335-7-2-.04. 335-7-2-.05 was created to keep the Organic Chemical Standards and Monitoring requirements in order. 335-7-2-.11 was added to separate the Stage 1 Disinfection Byproducts from the Organic Chemical Standards and Monitoring Requirements. 335-7-2-.12, 335-7-2-.13, 335-7-2-.14, 335-7-2-.15, and 335-7-2-.16 were added to comply with EPA's Stage 2 Disinfection/Disinfection Byproduct Rule. 335-7-2-.17 was added to comply with EPA's Long-term 2 Enhanced Surface Water Treatment Rule.</p>	
AL011108-9	Water Supply Health	12/31/2007	AAM Vol. XXVI No. 3, p. 123	Final Rule	<p>335–ADEM 7–Appendix C–Health Effect Language</p> <p>Deletes Appendix C completely.</p>	

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA011108-1	Air Perchloroethylene	01/11/2008	CRNR 2008, 2z, p. 42	Rule Amendment	Air Resources Board Perchloroethylene Dry Cleaning Operations [17 CCR 93109] Repeals the current regulation restricting perchloroethylene dry cleaning and replaces it with a new regulation that will require the phasing out of all dry cleaning using perchloroethylene in California over a period of 15 years. Effective 12/27/2007.	
CA011108-2	Air SIP	01/10/2008	73 FR 1819	Direct Final Rule	U.S. Environmental Protection Agency Revisions to the California SIP, SJVAPCD and SMAQMD [40 CFR Part 52] Approves revisions to the SJVAPCD and SMAQMD portions of the California SIP. These revisions concern NOx emissions from internal combustion engines and stationary gas turbines. Effective 03/10/2008.	
CA011108-3	Operating Devices	01/11/2008	CRNR 2008, 2z, p. 45	Rule Amendment	Occupational Safety and Health Standards Board Operating Devices and Control Equipment [8 CCR 1604.24] Amends subsections of Title 8 CCR Sec. 1604.24 to correct typographical errors. Prior to this action, subsections (b)(12) and (h)(3) referred to a magnetic "contractor" and a magnetically operated "contractor." The word "contractor" should have read "contactor," so as to refer to the appropriate electronic control device.	
CA011108-4	Proposition 65 Molinate	01/04/2008	CRNR 2008, 1z, p. 12	Notice	Office of Environmental Health Hazard Assessment, California Environmental Protection Agency Draft Technical Support Document on Proposed Public Health Goal for Molinate in Drinking Water Announces second public comment period for draft technical support document for a proposed Public Health Goal for Molinate. Comments due 02/04/2008. Molinate primarily is used in agriculture.	
CA011108-5	Railcars Loading and Unloading	01/11/2008	CRNR 2008, 2z, p. 45	Rule Update	Occupational Safety and Health Standards Board Industrial Trucks, General (Blue Signal Protection) [8 CCR 3650] Updates the reference that describes the manner in which blue flags or lights must be displayed in proximity to a railcar during loading or unloading operations. Effective 01/30/2008.	
CA011108-6	Solid Waste Recycling	01/04/2008	CRNR 2008, 1z, p. 15	Notice	Department of Conservation Handling Fees [14 CCR 2125, 2518, 2990, 2995, 2997] This Certificate of Compliance filing makes permanent the emergency regulations that conformed 14 CCR to amended Section 14585 of the California Public Resources Code regarding the formula for determining handling fees paid to beverage container recycling centers. Effective 12/26/2007.	

2.2.1 Upcoming Workshops and Conferences

Organization	Description	Location	Dates
California DTSC	Biennial Hazardous Waste Reporting Workshops. See brochure for additional details and to sign up to attend.	Sacramento	01/08/2008
		Diamond Bar	01/15/2008
		Berkeley	01/17/2008
		Cypress	01/23/2008
		San Diego	01/30/2008
California DTSC	Universal and Electronic Wastes Management Training. See announcement for additional information.	Anaheim	01/23/2008
Cal-CUPA	Training conference; seven tracks of courses include: Hazardous Materials, Waste, Tanks, Administration and Management, Enforcement, Cleanup, and Potpourri. See brochure for additional details.	San Francisco	02/04/2008 through 02/07/2008
SCAQMD	Aircraft Emissions Control Technology Forum and Roundtable Discussion. See announcement for additional details.	Diamond Bar	02/13/2008
California DTSC	Pollution Prevention Compliance Training. See announcement for additional information.	Anaheim	02/21/2008
California Water Environment Association	Pretreatment, Pollution Prevention, and Storm Water Conference. See brochure for additional details	Long Beach	02/25/2008 through 02/27/2008

2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL011108-1	Air General Provisions	01/04/2008	FAW Notice #5071662	Notice Amendment Correction	Chapter 62–FDEP 204–Air Pollution Control General Provisions The following correction has been made to the proposed rule in Vol. 33 No. 51, 12/21/2007 issue of the FAW. The proposed effective date of the rule as shown in the history note is corrected from 02/01/2007 to 02/01/2008.	
FL011108-2	Air Permits	01/09/2008	FAW Notice #5075542	Final Rule	Chapter 62–FDEP 213–Operation Permits for Major Sources of Air Pollution Amendments to Chapter 62-213, F.A.C. will increase the annual Title V emissions fee factor from \$25.00 to \$30.00 and will provide that the Title V permit serves as written notice to the Title V source of the annual requirement for submission of the emissions fee.	

2.4 Hawaii State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Hawaii.

2.5 Louisiana State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Louisiana.

2.6 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Maryland.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD011108-1	Hazardous Waste Medical Wastes	01/04/2008	35:1 Md.R.86	Proposed Action	Department of the Environment Disposal of Controlled Hazardous Substances [COMAR 26.13.11 through 13] Proposes to amend COMAR regulations to 1) revise the definition of "special medical waste" under COMAR 26.13.11.02, making it consistent with the Maryland Department of Health and Mental Hygiene's definition for special medical waste; and 2) revise Maryland's regulations on packaging and transportation of special medical waste (COMAR 26.13.12.05 and 26.13.13.03) to incorporate requirements of the U.S. Department of Transportation's hazardous materials transportation regulations. Public hearing is 02/04/2008. Comments due 02/19/2008.	
MD011108-2	Storm Water Construction	01/04/2008	35:1 Md.R.96	Proposed Rule	Water Management Administration, Department of the Environment Tentative Determination to Issue General Discharge Permit for Storm Water Discharges Associated with Construction Activity [COMAR 26.08.04.09A] Proposes to reissue for the next 5 years the state and NPDES General Discharge Permit for Storm Water Discharges Associated with Construction Activity). The reissued permit, which would cover all construction activity in Maryland disturbing 1 or more acre, would incorporate no changes from the current permit and fee structure. Further information is available on the Department's website. A public hearing will be held if requested by 01/15/2008. Comments due 02/20/2008.	

2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

2.8 New Mexico State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of New Mexico.

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH011108-1	Air Particulates	01/09/2008	News Release	Draft Rule	<p>Division of Air Pollution Control, OEPA</p> <p>OEPA Seeks Public Comments on Proposed Particulate Nonattainment Areas</p> <p>OEPA has a draft recommendation for EPA to designate 21 counties as nonattainment under the new fine particulate standard, including Cuyahoga County. By 04/2012, the state will have to develop plans and implement air pollution control strategies to bring these areas into compliance with the standard. More information about the state's draft recommendation is available on the OEPA Webpage. Comments due 01/25/2008.</p>	NASA Facilities should be aware of this proposed change.
OH011108-2	Air Stationary Source Emissions	01/08/2008	Public Notice	Refiled Rule	<p>Division of Air Pollution Control, OEPA</p> <p>"Control of Emissions of Organic Materials from Stationary Sources"--Refiling of Rules [OAC 3745-21-07]</p> <p>OEPA has refiled OAC rule 3745-21-07, which regulates emissions of organic materials from stationary sources, after addressing comments from interested parties. Please review the synopsis and white paper for a general description of the rule contents, and the responsive summary to comments for details regarding the most recent changes made to the proposed rule language. Please see the information on OAC Rule 3745-21-07 posted on the OEPA regulations webpage for more complete details. Please note that the refiled rules are not effective at this time. Please watch the OEPA website for future developments.</p>	
OH011108-3	Air VOCs	01/02/2008	Public Notice	Refiled Rule	<p>Division of Air Pollution Control, OEPA</p> <p>PTIO Program--Refiling of Rules [OAC 3745-15, 3745-31, and 3745-35]</p> <p>OEPA has refiled amended language of rules for the new PTIO program. The PTIO program will condense two separate permitting processes into one. For background information on the development of the PTIO program, please see the PTIO program webpage. Please review the synopsis and responsive summary to comments for details regarding changes made to the proposed rule language. Please note that the refiled rules are not effective at this time. Please watch the OEPA website for future developments.</p>	

2.10 Texas State Regulatory Reviews

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register* published in HTML file format. Current and historical versions of the *Texas Register* in HTML and Adobe Acrobat (.pdf) file format can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX011108-1	Air NSR-ACEP	01/04/2008	33 TexReg 190	Adopted Rules	<p>New Source Review Permit Applications for Advanced Clean Energy Projects [30 TAC §116.114]</p> <p>Establishes deadlines for TCEQ's air permit review for ACEP projects to expedite permit application processing. Specifies that TCEQ must complete the technical review of an ACEP permit application no later than 9 months after the application is declared to be administratively complete. A final order will be issued no later than 9 months after the application is declared to be technically complete. Allows an extension of up to 3 months if the number of pending applications will prevent TCEQ from meeting the specified deadlines. Does not exempt ACEP permit applications from applicable requirements relating to contested case hearings. Effective 01/10/2008.</p>	
TX011108-2	CAA SIP	12/31/2007	72 FR 74252	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Clean Air Act Reclassification of the Houston/Galveston/Brazoria Ozone Nonattainment Area; Texas [40 CFR Part 81]</p> <p>Proposes to grant a request by the governor of the State of Texas to voluntarily reclassify the Houston/Galveston/Brazoria ozone nonattainment area from a moderate 8-hour ozone nonattainment area to a severe 8-hour ozone nonattainment area. Proposes a range of dates from 12/15/2008 to 04/15/2010 for the state to submit a revised SIP addressing the severe ozone nonattainment area requirements of the CAA. Comments due 01/30/2008.</p>	NASA Facilities should be aware of this proposal.
TX011108-3	Water Conservation	01/04/2008	33 TexReg 193	Adopted Rules	<p>Water Conservation Plans, Drought Contingency Plans, Guidelines And Requirements [288.1 and §288.30]</p> <p>Requires the following entities submit a Water Conservation Plan:</p> <ul style="list-style-type: none"> ▪ Retail public utilities that provide potable water service to 3,300 or more connections ▪ Applicants for a new or amended water right ▪ Holders of an existing permit, certified filing, or certificate of adjudication for the appropriation of surface water in the amount of: <ul style="list-style-type: none"> ▪ 1,000 acre-feet a year or more for municipal, industrial, and other uses ▪ 10,000 acre-feet a year or more for irrigation uses <p>These plans must include 5-year and 10-year targets for water conservation. Requires each entity that must submit a water conservation plan to TCEQ also to submit a copy of the plan to the Texas Water Development Board. Adds a definition of "best management practices." Effective 01/10/2008.</p>	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX011108-4	Water Drinking Water	01/04/2008	33 TexReg 198	Adopted Rules	<p>Public Drinking Water [30 TAC Chapter 290]</p> <p>Adopts amendments and new rules to implement federal regulations pertaining to the safety of drinking water from groundwater and surface water sources. The following summarizes the federal regulations that are being implemented with this rulemaking:</p> <ul style="list-style-type: none"> ▪ Stage 2 Disinfectants and Disinfection Byproducts Rule—provides more protection from the risks of disinfection byproducts. Provisions include a period of increased early implementation sampling used to select new compliance monitoring sites; new compliance determination methods; operational evaluation level reporting; increased detail for currently required monitoring plans; and updated analytical methods. ▪ Long-term 2 Enhanced Surface Water Treatment Rule—provides increased protection from <i>Cryptosporidium</i>. Provisions include period of increased early implementation sampling; new required treatment levels determined on a plant-by-plant basis; defined technologies treatment; and updated analytical methods. ▪ Groundwater Rule—provides greater protection from pathogens from sources of groundwater. Provisions include sampling at wells following any total coliform detection in a distribution system; required corrective action if fecal indicators are detected in a well; newly defined violations for the presence of fecal contaminants in raw water; and updated analytical methods. ▪ Public Notification Rule—includes requirements for certification of public notice and references to public notice violations, and changes the amount of time allowed for notification of an acute violation from 1 business day to 24 hours. ▪ Total Coliforms Rule and Disinfectants and Disinfection Byproducts Rule—adopts changes to ensure consistency of the state rules with the existing federal rules. <p>Reflects changes to the Texas Health and Safety Code regarding homeland security and various administrative changes. Effective 01/10/2008.</p>	

2.10.1 TERP Emissions Reduction Incentive Grant Program

TCEQ is now accepting applications for a grant from the [TERP ERIG Program](#). The ERIG Program provides grants to eligible projects in nonattainment areas and affected counties. The grants offset the incremental costs associated with reducing emissions of NOx from high-emitting internal combustion engines. Any person (i.e., individual, corporation, organization, governmental agency, business, or any other legal entity) who operates or plans to operate on-road heavy-duty vehicles, non-road equipment, or stationary engines primarily in one or more of the nonattainment areas or other eligible counties of the state potentially is eligible for a grant. Applications currently are being accepted from eligible applicants in the Houston-Galveston-Brazoria; Dallas-Fort Worth; Beaumont-Port Arthur; Tyler-Longview; Austin; and San Antonio areas. Complete details can be found in the [Request for Grant Applications](#). Copies of the application forms may be downloaded from the [TERP ERIG Application Web site](#). The application deadline for this round of funding is 11 April 2008.

2.10.2 Latest TCEQ Publications Now Available

TCEQ released several new or revised publications in October through December 2007. The list includes the following publications that may be of interest to NASA:

- [Complying with Rules on Surface Preparation: Buffing, Blasting, Water Jetting, etc.](#) (revised)–Provides basic information, legal cites, and other resources on rules that apply to surface preparation facilities operated by businesses and local governments.
- [Managing Paint and Paint-related Waste under the Universal Waste Rule](#) (revised)–How wastes from painting can be managed more economically and conveniently under the Universal Waste Rule, as opposed to managing them as hazardous waste.

More publications can be found on [TCEQ's Forms and Publications Website](#).

2.11 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA011108-1	Waste Hazardous Waste	01/07/2008	24:9 Va.R 1104-1106	Final Rule	Virginia Waste Management Board Virginia Hazardous Waste Management Regulations (9 VAC 20-60-18) Incorporates by reference numerous changes made to Title 40 of the CFR. Changes of possible interest include the following: <ul style="list-style-type: none"> ▪ 40 CFR Parts 260, 261, 271–management of cathode ray tubes ▪ 40 CFR Part 273–revision to definition of “onsite” ▪ Correction of editorial errors in several Parts Effective 02/06/2008. 	
VA011108-2	Water Storm Water	01/07/2008	24:9 Va.R 1106-1123	Final Rule	State Water Control Board General Virginia Pollution Discharge Elimination System (VPDES) Permit for Discharges from Petroleum-contaminated Sites and Hydrostatic Tests (9 VAC 25-120) Reissues the existing general VPDES permit for petroleum-contaminated sites and hydrostatic tests, which expires 02/25/2008. Chapter 120 has been modified to include groundwater remediation and specifically calls out sites contaminated with chlorinated hydrocarbon solvent. This final rule incorporates changes from the proposed rule. Effective 02/06/2008.	NASA Facilities should be aware of the modifications to this permit.
VA011108-3	Water Storm Water	01/07/2008	24:9 Va.R 1123-1132	Final Rule	State Water Control Board General VPDES Permit for Cooling Water Discharges (9 VAC 25-196) Reissues with modifications the existing general VPDES permit for non-contact cooling water discharges of 50,000 gallons per day or less, which expires on 03/01/2008. Effective 02/06/2008.	
VA011108-4	Water Storm Water	01/07/2008	24:9 Va.R 1132-1143	Final Rule	State Water Control Board Virginia Water Protection (VWP) Permit Program (9 VAC 25-210) Conforms the regulation to the reorganization of the State Water Control Law. Effective 02/06/2008.	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA011108-5	Water Storm Water	01/07/2008	24:9 VA.R 1144-1155	Final Rule	State Water Control Board VWP General Permit for Impacts less than one-half acre (9 VAC 25-660) Conforms the regulation to the reorganization of the State Water Control Law. Effective 02/06/2008.	
VA011108-6	Water Storm Water	01/07/2008	24:9 VA.R 1170-1188	Final Rule	State Water Control Board VWP General Permit for Linear Transportation Projects (9 VAC 25-680) Conforms the regulation to the reorganization of the State Water Control Law. Effective 02/06/2008.	
VA011108-7	Water Storm Water	01/07/2008	24:9 VA.R 1188-1203	Final Rule	State Water Control Board VWP General Permit for Impacts from Development and Certain Mining Activities (9 VAC 25-960) Conforms the regulation to the reorganization of the State Water Control Law. Effective 02/06/2008.	